

Fred W. Schwinn (SBN 225575)  
CONSUMER LAW CENTER, INC.  
12 South First Street, Suite 1014  
San Jose, California 95113-2418  
Telephone Number: (408) 294-6100  
Facsimile Number: (408) 294-6190  
Email Address: fred.schwinn@sjconsumerlaw.com

Attorney for Plaintiff  
JESUS AGUSTIN

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION**

JESUS AGUSTIN,

Plaintiff,

v.

NCO FINANCIAL SYSTEMS, INC., a  
Pennsylvania corporation,

Defendant.

Case No. C08-01379-JW-HRL

**STIPULATION OF DISMISSAL  
WITH PREJUDICE AND  
[PROPOSED] ORDER**

Fed. R. Civ. P. 41(a)(1)

Pursuant to Fed. R. Civ. P. 41(a)(1), Plaintiff, JESUS AGUSTIN, and Defendant, NCO FINANCIAL SYSTEMS, INC., stipulate, and the Court hereby orders, as follows:

1. The dispute between the parties has been settled, therefore, the claims asserted by Plaintiff, JESUS AGUSTIN, against Defendant, NCO FINANCIAL SYSTEMS, INC., in the above-captioned proceeding are hereby dismissed, with prejudice, pursuant to Fed. R. Civ. P. 41(a)(1).

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1 Dated: April 23, 2008

/s/ Fred W. Schwinn  
Fred W. Schwinn, Esq.  
Attorney for Plaintiff  
JESUS AGUSTIN

4 Dated: April 23, 2008

/s/ Debbie P. Kirkpatrick  
Debbie P. Kirkpatrick, Esq.  
Attorney for Defendant  
NCO FINANCIAL SYSTEMS, INC.

7 THE FOREGOING STIPULATION  
8 IS APPROVED AND IS SO ORDERED.

9 Dated: \_\_\_\_\_

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The Honorable James Ware  
Judge of the District Court